

**REPORT - PLANNING COMMISSION MEETING**  
**February 26, 2004**

**Project Name and Number:** Pacific Commons Freeway Pylon Sign (PLN2004-00142)

**Applicant:** Sean Whiskeman, Catellus Development Corporation

**Proposal:** To consider a Planned District Minor Amendment to modify the proposed Freeway Pylon Sign for the Pacific Commons Major Retail Development.

**Recommended Action:** Approve subject to conditions.

**Location:** The proposed freeway pylon sign is to be located within Planning Area 1, which is bound on the north by Auto Mall Parkway; on the east by I-880; on the west by Christy Street; and on the south by the Brandin Court, within the Industrial Planning Area.

**Assessor Parcel Number(s):** 525-1330-018-00

**Area:** Planning Area 1 is approximately 25 acres in size.

**Owner:** Catellus Development Corporation

**Agent of Applicant:** Sean Whiskeman, Catellus Development Corporation

**Consultant(s):** Paul Prejza, Sussman Prejza

**Environmental Review:** An Addendum to the adopted EIR and Supplemental EIR has been prepared per Section 15164 of the 2004 CEQA Guidelines.

**Existing General Plan:** IR-C-I – Restricted Industrial, Commercial-Industrial Overlay

**Existing Zoning:** P-2000-214, Planned District, as amended by PLN2003-00166

**Existing Land Use:** Vacant

**Public Hearing Notice:** Public hearing notification is applicable. A total of 143 notices were mailed to owners and occupants of property within 300 feet of the site on the following streets: Christy Street, Boscell Road, Auto Mall Parkway, and Brandin Court. The notices to owners and occupants were mailed on February 16, 2004. A Public Hearing Notice was delivered to The Argus on February 9, 2004 to be published by February 12, 2004.

**Executive Summary:** The Planning Commission is being asked to consider a Planned District Minor Amendment that would: (1) allow the applicant to increase the height of the proposed freeway pylon sign from what was originally envisioned in Supplement "B" (Pacific Commons Planned District) and (2) change the location of the sign as identified through the Concept Approval Process for Planning Area 1. The applicant has completed further analysis and review in anticipation of constructing the sign and has concluded that due to a number of factors the proposed sign needs to be re-positioned and increased in height from 90' to approximately 152' to be visible from I-880. Staff recommends approval of the proposed Planned District Minor Amendment subject to the conditions of approval in Exhibit B.

**Background and Previous Actions:** On June 26, 2003, the Planning Commission recommended that City Council approve the Planned District Major Amendment (PLN2003-00166) to allow for the development of a major retail development on approximately 79 acres of land within the area commonly known as the Pacific Commons Development. The amendment adopted by the Council specifically approved the following:

- Allowed for the creation of a unique, pedestrian-oriented community retail shopping center at the east Activity Center in place of the previously envisioned hotel, office and retail uses (**Planning Area 1**);
- Relocated the Major Retail Area eastward from its current location to an approximately 40 acre area along Auto Mall Parkway between Christy Street and Boscell Road (**Planning Area 2 & 3**);
- Allowed for the development of mixed retail, one to four-story Office/R&D buildings and Auto dealerships on the west side of Boscell Road from Auto Mall Parkway to Curie Street (**Planning Area 4**);
- Returned Boscell Road to the alignment proposed through the 2000 approvals; and
- Extended Pacific Commons Boulevard from Curie Street to Auto Mall Parkway.
- Additionally, amendments to the Development Agreement between the City and Catellus which: (i) extended the completion date for Cushing Parkway; and (ii) limited fast food restaurants to two unique establishments.

On July 22, 2003, City Council took action to approve the Planned District Major Amendment Application (PLN2003-00166) based upon the required findings and conditions of approval. The Guidelines and Standards relating to the amendment were inserted into a document entitled Supplement B – Pacific Commons Planned District Development Standards and Guidelines. Supplement B is the design document, which will guide and direct the future development of the Major retail Area.

The Conditions of Approval for the Planned District Major Amendment contain a specific condition relating to the freeway pylon sign, which reads as follows: ***“The details of the freeway pylon sign to be located within Planning Area 1 shall be submitted to the City staff for review and approval no later than the date of the first Preliminary Development Organization Review Application for Planning Area 1. If the freeway pylon sign contains an electronic reader board then Planning Commission review and approval will be required for this sign”***. The intent of this condition was to allow staff to review and approve the design of the freeway pylon sign provided it did not contain a reader board. The sign as currently proposed does not contain a reader board.

Although the above-referenced condition did not incorporate specific details relating to the maximum height limit for the freeway pylon sign, the Pacific Commons - Supplement B Document, which outlines the design guidelines and standards for the Major Retail District did impose a height limit. Supplement B Section E. Gateways and Signage reads as follows: ***“A freeway pylon sign shall be located in Planning Area 1. The pylon sign shall identify key tenants of the major retail District and be located to provide maximum visibility from Interstate 880. The proportions of this pylon sign shall be sufficient to reasonably compete with sign of similar purpose along the Interstate 880 corridor but shall be limited to a 90’maximum height”***.

On September 11, 2003 the Planning Commission reviewed and approved the Conceptual Site Plan for Planning Area 1. The Conceptual Site Plan anticipated a sign structure above the pedestrian walkway crossing through the area between the plaza adjacent to building R1 and building R3. (See Information enclosure “Conceptual Site Plan for Planning Area 1.”) Supplement B to the Planned District Guidelines approved a pylon sign of 90 feet in height. As described in more detail below, upon further investigation of the location and structure of that approved signage, the applicant concluded that it was not in the most effective location or at the most effective height on the site.

**Project Description:** The applicant requests approval of a Planned District Minor Amendment to allow the proposed freeway pylon sign to increase the maximum height limit to approximately 152’ from 90’ as approved in Supplement “B”. The pylon sign is proposed to be located in the southeast quadrant of Planning Area 1, behind building M1 and adjacent to the Brandin Court industrial area. The sign is to be designed to complement the overall design character of the Pacific Commons signage program as illustrated in the Master PD Guidelines but will be a distinctly different element than the other gateway features located throughout the Pacific Commons Development.

Catellus, along with their consultants, completed some site analysis to acquire a visual perspective on how a 90’ sign would read from I-880, both in the north and south bound direction. As further described below, Catellus has determined that a 90’ sign will not be sufficient to properly identify the Major Retail District and their key tenants due primarily to the following constraints:

- **PG&E Towers:** Two PG&E transmission line towers occupy the corner of the site closest to I-880. One tower is estimated to be 158' in height and the second at 150' in height. Two additional towers are located roughly 80' due south on the property and are approximately 135' high.
- **PG&E Overhead Easement:** There is a 150' PG&E easement that runs along the entire northeast property line that both restricts the freeway Pylon Sign's location and adds approximately 12 high voltage transmission lines that sag through the air.
- **Existing Building & Landscaping:** There is an existing R&D facility located on the adjacent property to the south that blocks the visibility of the sign from the south. In addition to the existing buildings, a row of trees (estimated to be roughly 45' high) also limits the visibility of the sign from the south.

As has been indicated by Catellus and identified in the various planning documents for Pacific Commons, the freeway pylon sign is an important element for the overall Pacific Commons Project. It is the most visible element of the signage and graphic system proposed for the project. The pylon sign will be integrated into the overall project through color, material, typography and form. The signage and identity package features natural metal finishes with a limited palette of accent colors. The sign will be comprised of a steel structure, which will be covered with a painted metal exterior. A combination of internal and external illumination will be used to accent the tower structure. The ultimate design (colors, materials, and illumination) of the freeway pylon sign will occur through the Development Organization Review process as authorized by the PD guidelines and conditions.

### **Project Analysis:**

**General Plan Conformance:** The existing General Plan land use designation for the project site is Restricted Industrial, Commercial-Industrial Overlay (IR-C-I). The proposed project is consistent with the existing General Plan land use designation for the project site because the sign is an accessory use intended to help implement Land Use Goal LE 2, "A strong municipal tax base".

**Environmental Analysis:** Enclosed as Exhibit C is an Addendum to the Supplemental Environmental Impact report for Pacific Commons Project. (The City Council certified the Final Supplement Environmental Impact Report (SEIR) and adoption of EIR Findings, facts in Support of Findings and Statement of Overriding Consideration on May 9, 2000.) The enclosed Addendum was prepared pursuant to Section 15164 of the CEQA Guidelines based upon the determination that there are no substantial changes with respect to the project and/or its circumstances which require major revisions of the SEIR due to new significant environmental effects, a substantial increase in the severity of previously identified significant effects, or new information of substantial importance. Staff recommends that the Addendum be adopted for this Minor Amendment.

The comprehensive mitigation measures in the SEIR will continue to be implemented for the project and monitored as provided in the Mitigation Monitoring and Reporting Plan, as well as the permits received from Federal and State resource agencies.

**Response from Agencies and Organizations:** Due to the height of the proposed sign, the applicant was required to seek approval from the Federal Aviation Administration (FAA). The applicant informed staff that the FAA's approval was granted on February 13, 2004 with a determination of "no hazard". With respect to the location of the proposed sign, PG&E sent a letter to the City dated December 23, 2003 indicating that no portion of the sign or footing would be permitted within the PG&E easement in that area. The applicant has subsequently informed staff that PG&E has indicated its approval of the height of the sign, and the applicant has indicated that no portion of the sign encroaches into the PG&E easement. The applicant has stated it will provide written evidence of this prior to the Planning Commission meeting. Staff will provide copies to the Commission upon receiving the information from the applicant. Additionally, a condition of approval is included in Exhibit B addressing this situation as follows: "The location of the pylon sign shall be as shown on Exhibit A only if one of the following occurs: (1) The City receives written approval from PG&E that the structure may be located in PG&E's easement, or (2) The City receives written evidence of a relocation of the PG&E easement such that the sign structure does not encroach into that easement...."

**Enclosures:**

Exhibit "A"	Planning Area 1 Site Plan (Location of Freeway Pylon Sign)
Exhibit "B"	Conditions of Approval
Exhibit "C"	Addendum to Supplemental Environmental Impact Report (SEIR) for Pacific Commons Project Catellus Development Corp.

**Exhibits:**

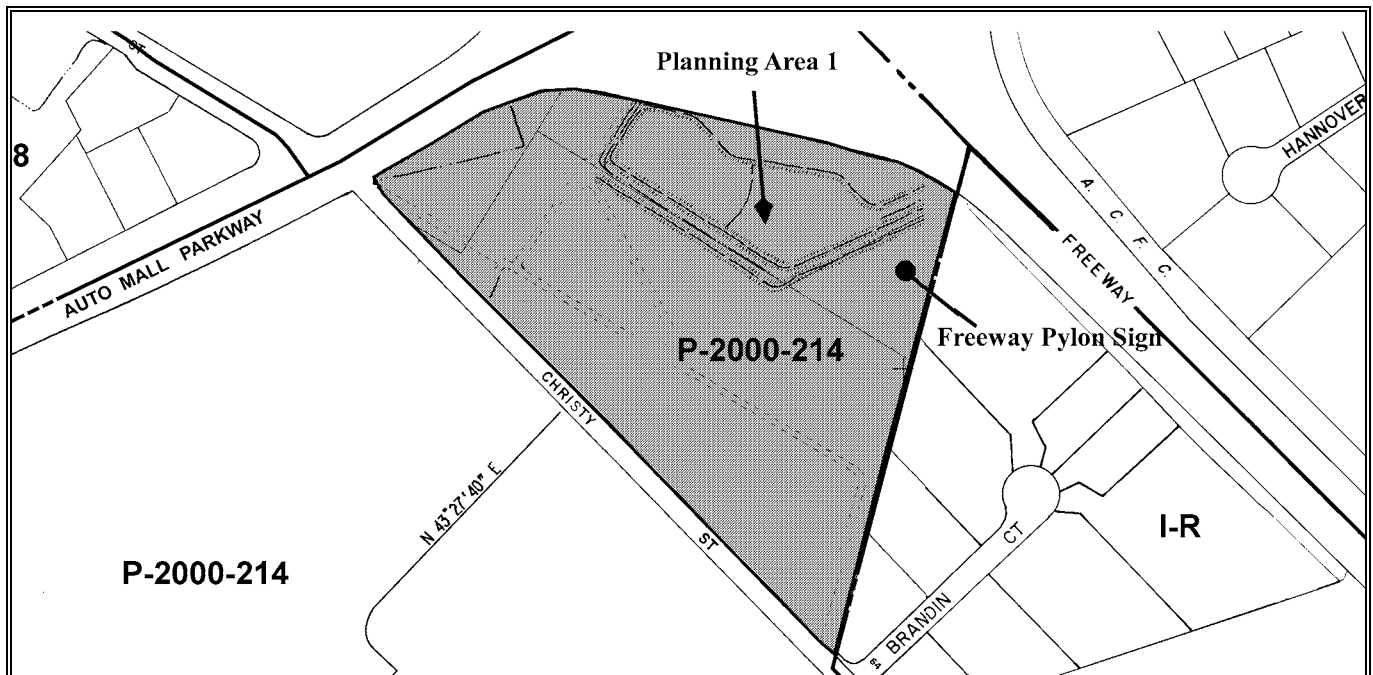
Exhibit "A"	Planning Area 1 Site Plan (Location of Freeway Pylon Sign)
Exhibit "B"	Conditions of Approval
Exhibit "C"	Addendum to Supplemental Environmental Impact Report (SEIR) for Pacific Commons Project Catellus Development Corp.

**Informational:** Supplement "B" – pages II-10 and III-2 identifying location of Freeway Pylon Sign  
Conceptual Site Plan for Planning Area 1 – Approved September 11, 2003

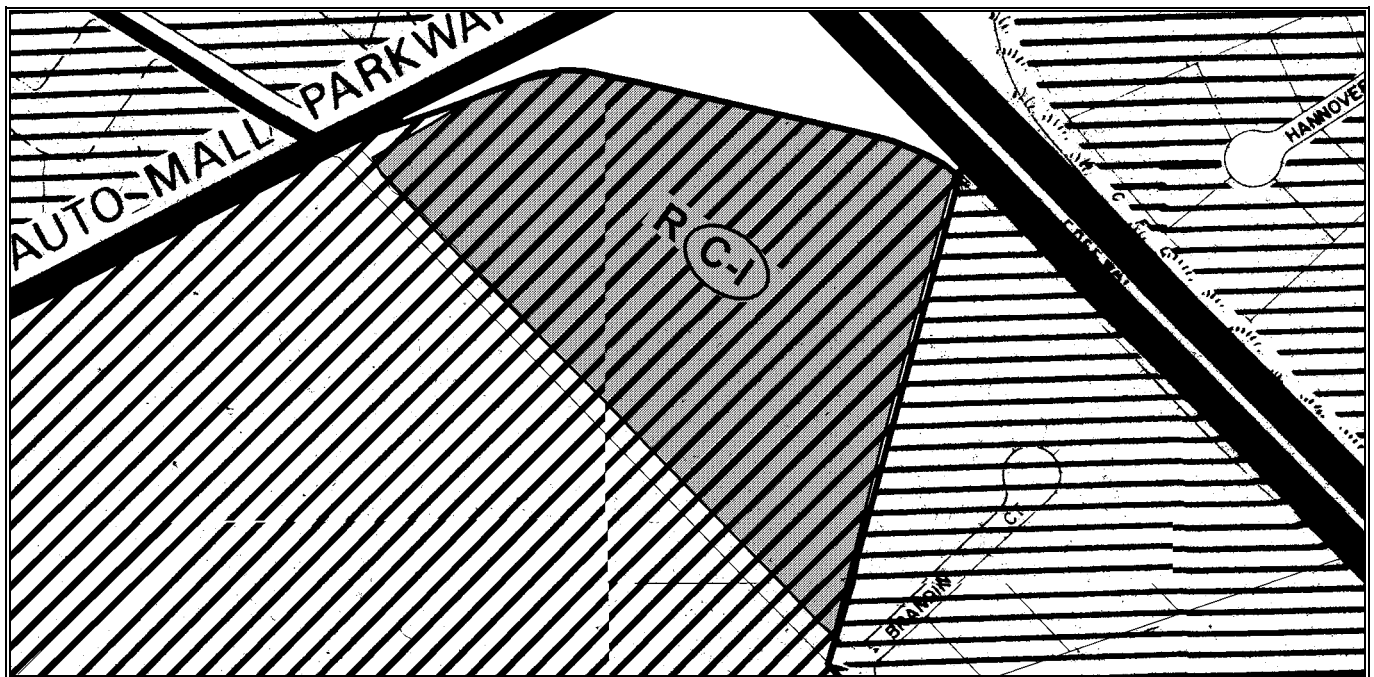
**Recommended Actions:**

1. Hold public hearing.
2. Adopt the Addendum to Supplemental Environmental Impact Report (SEIR) for Pacific Commons Project Catellus Development Corp. as shown on Exhibit "C". (SEIR PLN2000-214, State Clearinghouse #8721715 & 96052016.)
3. Find PLN2004-00142 is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Local Economy Chapter as enumerated within the staff report.
4. Approve PLN2004-00142, as shown on Exhibit "A", subject to findings and conditions on Exhibit "B".

Existing Zoning  
Shaded Area represents the Project Site



Existing General Plan



**Exhibit "B"**  
**Conditions of Approval**  
**Pacific Commons Freeway Pylon Sign (PLN2004-00142)**

1. The project shall conform to Exhibit "A" in relation to the location of the proposed Freeway Pylon Sign. The freeway pylon sign shall be limited to a maximum height of 152'.
2. A Preliminary Review Process shall be submitted to the City for review and approval for the design of the freeway pylon sign prior to the applicant submitting an application to the Development Organization (Building Permit)
3. Plans shall be submitted to the Development Organization for review to ensure conformance with relevant codes, policies, and other requirements of the Fremont Municipal Code.
4. Upon Planning Commission approval of the Freeway Pylon Sign, any proposed changes thereto may be approved by the Assistant City Manager or her or his designee, unless the Assistant City Manager or her or his designee determines that the proposed changes would result in a material departure from the Freeway Pylon Sign as approved by the Planning Commission, in which case he/she shall refer the whole application to the Planning Commission, for approval.
5. The location of the pylon sign shall be as shown on Exhibit A only if one of the following occurs: (1) The City receives written approval from PG&E that the structure may be located in PG&E's easement, or (2) The City receives written evidence of a relocation of the PG&E easement such that the sign structure does not encroach into that easement. If neither of these occurs, the pylon sign shall not be located in the area shown on Exhibit A.